

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 04-3025

***JACQUELINE SHOEMAKER**, in her capacity as
Executrix of the Estate of Arnold M. Stockton, Deceased,
Appellant

v.

JOHN HANCOCK MUTUAL LIFE INSURANCE COMPANY,
now known as UNICARE LIFE AND HEALTH INSURANCE COMPANY

*(Amended per Clerk's Order dated 8/10/04)

On Appeal from the United States District Court
for the Western District of Pennsylvania
(D.C. No. 01-cv-00300E)
District Judge: Honorable Maurice B. Cohill, Jr.

Submitted Under Third Circuit LAR 34.1(a)
June 30, 2005

Before: NYGAARD, SMITH and FISHER, *Circuit Judges*.

JUDGMENT

This cause came on to be considered on the record from the United States District Court for the Western District of Pennsylvania and was submitted pursuant to Third Circuit LAR 34.1(a) on June 30, 2005. On consideration whereof, it is now hereby

ORDERED and ADJUDGED by this Court that the order of the District Court entered June 22, 2004, be and the same is hereby **AFFIRMED**. All of the above in accordance with the opinion of this Court.

Costs taxed against Appellant.

Certified as a true copy and issued in lieu
of a formal mandate on 8/10/05

Marcin M. Waldron

ATTEST:

Teste:
Clerk, U.S. Court of Appeals for the Third Circuit

Chief Deputy Clerk

Dated: July 13, 2005